CWP No. 159 of 2001

13.12.2006 **Present:** **Mr. Ajay Mohan Goel, counsel for the petitioners.**

Ms. Devyani Sharma, counsel alongwith Mr. K. K. Upadhayay, DGM (Law), for respondent No.1.

Mr. Rajnish Maniktala, counsel for applicants No. 2 to 5.

Learned counsel for respondent No.1 has placed on record letter No. CC/Pers./Rectt./2006-1181, dated 13.12.2006, from respondent No.1, stating therein that pursuant to the circular which has been challenged in the present writ petition, no recruitment has been made. The relevant part of the letter reads as under:-

> "It is being informed that in pursuance to the above Circular, no recruitment for the internal candidate with educational qualification CA/ICWA/AMIE/Degree in Engineering disciplines were done."

The petitioners have already been promoted to the executive category. Since no recruitment has been made in terms of the circular, adversely affecting the seniority of the petitioners, it would be un-necessary to go into its legality. The petitioners already having been promoted and their seniority and other service conditions having remained undisturbed, it is un-necessary to pronounce upon on the questions raised in the petition.

In view of this, the writ petition has become infructuous and is disposed of accordingly. There shall be no order as to costs.

(Dev Darshan Sud), J.

December 13, 2006.
(rana)